

ORDINANCE _____

AN ORDINANCE relating to Housing and Building Maintenance Code enforcement, amending Sections 22.206.040, 22.206.090, 22.206.130, 22.206.160, 22.206.200, and 23.91.002 of the Seattle Municipal Code.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subsection 22.206.040.A of the Seattle Municipal Code, which section was last amended by Ordinance 115671, is amended as follows:

22.206.040 Light and ventilation((:))

A. Every habitable room in a housing unit shall have a window or windows with an area of not less than ~~((ten percent (10%)))~~ 8 percent of the floor area of the room, but in no event shall such area be less than ~~((ten (10)))~~ 10 square feet; provided, that an approved system of artificial light may be used in lieu of the window or windows required in kitchens by this section.

* * *

Section 2. Subsection 22.206.090.A of the Seattle Municipal Code, which section was last amended by Ordinance 115671, is amended as follows:

22.206.090 Heating((:))

A. Minimum Heating Equipment. Every housing unit shall have permanently installed, functioning heating facilities and an approved power or fuel supply system which are capable of maintaining ~~((an average room temperature of at least sixty-five (65) degrees Fahrenheit measured at a point three (3) feet above the floor))~~ a minimum room temperature of 68 degrees Fahrenheit measured at a point 3 feet above the floor and 2 feet from exterior walls in all

habitable rooms, baths and toilet rooms, when the outside temperature is ~~((twenty-four (24)))~~ 24 degrees Fahrenheit or higher. When the outside temperature is less than ~~((twenty-four (24)))~~ 24 degrees Fahrenheit, the permanently installed, functioning heating facility and approved power or fuel supply system must be capable of maintaining an average room temperature of at least ~~((fifty-eight (58)))~~ 58 degrees Fahrenheit, measured at a point ~~((three (3)))~~ 3 feet above the floor and 2 feet from exterior walls, in all habitable rooms, baths and toilet rooms.

* * *

Section 3. Subsection 22.206.130.A of the Seattle Municipal Code, which section was last amended by Ordinance 120087, is amended as follows:

Minimum Fire and Safety Standards

22.206.130 Requirements((=))

A. Stair and Stairway Construction.

1. All stairs, except stairs to inaccessible service areas, exterior stairs on grade and winding, circular or spiral stairs shall have a minimum run of ~~((nine (9) inches))~~ 10 inches and a maximum rise of ~~((eight (8) inches))~~ 7¾ inches and a minimum width of ~~((thirty (30) inches))~~ 36 inches from wall to wall. The rise and run may vary no more than ~~((one-half (1/2) inch))~~ 3/8 inch in any flight of stairs.

2. All exterior stairs on grade and winding, circular and spiral stairs shall be in good repair and shall be configured for safe use and travel.

3. Every stairway having more than three ~~((3))~~ risers, except stairs to inaccessible service areas, shall have at least one ~~((1))~~ handrail mounted ~~((at least twenty-eight~~

1 ~~(28) inches but no more than forty two (42) inches))~~ not less than 34 inches or more than 38
2 inches above the tread nose.

3 4. A landing having minimum horizontal dimension of ~~((thirty (30)))~~ 30 inches
4 shall be provided at each point of access to a stairway; provided, that stairs to an inaccessible
5 service area need not have such a landing. A door that swings away from a stairway is considered
6 to have created a landing in the area of its swing.

7
8 5. Every required stairway shall have headroom clearance of not less than ~~((six (6)~~
9 ~~feet six (6) inches))~~ 6 feet 8 inches measured vertically from the nearest tread nose to the nearest
10 soffit.

11
12 6. Stairs or ladders within an individual dwelling unit used to gain access to
13 intermediate floor areas of less than ~~((four hundred (400)))~~ 400 square feet and not containing the
14 primary bathroom or kitchen are exempt from the requirements of this subsection A.

15 * * *

16 Section 4. Subsections A and B of Section 22.206.160 of the Seattle Municipal Code,
17 which section was last amended by Ordinance 123141, are amended as follows:

18
19 **SMC 22.206.160 Duties of owners((:))**

20 A. It shall be the duty of all owners, regardless of any lease provision or other agreement
21 that purports to transfer the owner's responsibilities hereunder to an operator, manager or tenant,
22 to:

23 * * *

8. Affix and maintain the street number to the building in a conspicuous place over or near the principal street entrance or entrances or in some other conspicuous place. This provision shall not be construed to require numbers on either appurtenant buildings or other buildings or structures where the Director finds that the numbering is not appropriate. Numbers shall be easily legible, in contrast with the surface upon which they are placed. Figures shall be no less than ~~((two-(2)))~~ 2 inches high;

9. Maintain the building in compliance with the requirements of Section ~~((3402.1))~~ 3403.1 of the Seattle Building Code;

* * *

B. It shall be the duty of all owners of buildings that contain rented housing units, regardless of any lease provision or other agreement that purports to transfer the owner's responsibilities hereunder to an operator, manager or tenant, to:

1. Maintain in a clean and sanitary condition the shared areas, including yards and courts, of any building containing two ~~((2))~~ or more housing units;

2. Supply enough garbage cans or other approved containers of sufficient size to contain all garbage disposed of by such tenants;

3. Maintain heat in all occupied habitable rooms, baths and toilet rooms at an inside temperature, as measured at a point ~~((three-(3)))~~ 3 feet above the floor and 2 feet from exterior walls, of at least ~~((sixty-five-(65)))~~ 68 degrees Fahrenheit between the hours of ~~((seven-(7:00)))~~ 7:00 a.m. and ~~((ten-thirty-(10:30)))~~ 10:30 p.m. and ~~((fifty-eight-(58)))~~ 58 degrees

Fahrenheit between the hours of ~~((ten thirty (10:30)))~~ 10:30 p.m. and ~~((seven (7:00)))~~ 7:00 a.m.
from September 1st until June 30th, when the owner is contractually obligated to provide heat;

4. Install smoke detectors on the ceiling or on the wall not less than ~~((four (4)))~~ 4
inches nor more than ~~((twelve (12)))~~ 12 inches from the ceiling at a point or points centrally
located in a corridor or area in each housing unit and test smoke detectors when each housing
unit becomes vacant;

* * *

Section 5. Subsection 22.206.200.A of the Seattle Municipal Code, which section was
last amended by Ordinance 122397, is amended as follows:

22.206.200 Minimum standards for vacant buildings((-))

A. Maintenance Standards. Every vacant building shall conform to the standards of
Sections 22.206.060; 22.206.070; 22.206.080, A, B, C, G, H and I; 22.206.130, I; 22.206.160, A.1,
3, 4, 5, 6 and 8 except when different standards are imposed by this section.

* * *

4. All vacant buildings and their accessory structures shall meet the following
standards:

a. All windows shall have intact glazing or plywood of at least ~~((one-
quarter (1/4)))~~ 1/4 inch thickness, painted or treated to protect it from the elements, cut to fit the
opening, and securely nailed using 6D galvanized nails or woodscrews spaced not more than
~~((nine (9)))~~ 9 inches on center.

1 b. Doors and service openings with thresholds located (~~((ten-(10)))~~) 10 feet
2 or less above grade, or stairways, landings, ramps, porches, roofs, or similarly accessible areas
3 shall provide resistance to entry equivalent to or greater than that of a closed single panel or
4 hollow core door (~~((one and three eighths (1 3/8)))~~) 1 3/8 inches thick equipped with a (~~((one-half-(~~
5 ~~1/2)))~~) 1/2 inch throw deadbolt. Exterior doors, if openable, may be closed from the interior of the
6 building by toe nailing them to the door frame using 10D or 16D galvanized nails.

7
8 c. There shall be at least one (~~((4)))~~) operable door into each building and
9 into each housing unit. If an existing door is operable, it may be used and secured with a suitable
10 lock such as a hasp and padlock or a (~~((one-half-(1/2)))~~) 1/2 inch deadbolt or deadlatch. All locks
11 shall be kept locked. When a door cannot be made operable, a door shall be constructed of
12 (~~((three-quarter-(3/4)))~~) 3/4 inch CDX plywood or other comparable material approved by the
13 Director and equipped with a lock as described above.

14
15 d. All debris, combustible materials including vegetation overgrowth, litter
16 and garbage, junk, waste, used or salvageable materials, and inoperable vehicles and vehicle
17 parts, shall be removed from vacant building, their accessory structures, and the premises
18 including but not limited to adjoining yard areas. The building and premises shall be maintained
19 free from such items. The premises also shall be free from parked vehicles.

20
21 e. The Director may impose additional requirements for the closure of a
22 vacant building, including but not limited to installation of (~~((three-quarter-(3/4)))~~) 3/4 inch
23 plywood, brick or metal coverings over exterior openings, when the standards specified in
24

subsections ~~((A4a))~~ 22.206.200.A.4.a through ~~((A4d))~~ 22.206.200.A.4.d above are inadequate to secure the building:

~~((i.))~~ 1) Due to the design of the structure; or

~~((ii.))~~ 2) When the structure has been subject to two ~~((2))~~ or more unauthorized entries after closure pursuant to the standards specified above; or

~~((iii.))~~ 3) When the Director determines, in consultation with the Seattle Police Department and the Seattle Fire Department, that the structure may present a substantial risk to the health or safety of the public, or to police or fire personnel if closed to the standards of subsections ~~((A4a))~~ 22.206.200.A.4.a through ~~((A4d))~~ 22.206.200.A.4.d above.

5. If a building component of a vacant building or a structure accessory to a vacant building does not meet the standards of Section 22.206.060, the component or a portion thereof may be removed in accordance with applicable codes, provided the Director determines that the removal does not create a hazardous condition.

6. Interior floor, wall and ceiling coverings in vacant structures need not be intact so long as the Director determines they do not present a hazard. If a hole in a floor presents a hazard, the hole shall be covered with ~~((three-quarter (3/4)))~~ 3/4 inch plywood, or a material of equivalent strength, cut to overlap the hole on all sides by at least ~~((six (6)))~~ 6 inches. If a hole in a wall presents a hazard, the hole shall be covered with ~~((one-half (1/2)))~~ 1/2 inch Type X gypsum, or a material of equivalent strength, cut to overlap the hole on all sides by at least ~~((six (6)))~~ 6 inches. Covers for both floor and wall holes shall be securely attached.

* * *

Section 6. Subsection 23.91.002, of the Seattle Municipal Code, last amended by Ordinance 123209, is amended as follows:

A. Violations of the following provisions of Seattle Municipal Code Title 23 shall be enforced under the citation or criminal provisions set forth in this Chapter 23.91:

1. Junk storage in residential zones (Sections 23.44.006 and 23.44.040, and Chapter 23.45), unless the lot contains a vacant structure subject to the vacant building maintenance standards contained in subsection 22.206.200.A;

2. Construction or maintenance of structures in required yards or setbacks in residential zones (Sections 23.44.014 and 23.44.040, and Chapter 23.45);

3. Parking of vehicles in a single-family zone (Section 23.44.016), unless the lot contains a vacant structure subject to the vacant building maintenance standards contained in subsection 22.206.200.A;

* * *

Section 7. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person, owner, or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons, owners, or circumstances.

Section 8. This ordinance shall take effect and be in force 30 days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

1 Passed by the City Council the ____ day of _____, 2010, and
2 signed by me in open session in authentication of its passage this
3 ____ day of _____, 2010.

4
5
6 _____
President _____ of the City Council

7
8 Approved by me this ____ day of _____, 2010.

9
10
11 _____
Michael McGinn, Mayor

12
13 Filed by me this ____ day of _____, 2010.

14
15
16 City Clerk
(Seal)